

EXHIBIT A

From: Lum, Christina <CLum@oaklandcityattorney.org>
Sent: Monday, April 29, 2024 1:37 PM
To: ishoiket@dergnoah.com; mdergosits@dergnoah.com; Stuart, Christopher (CAT); Veit, Julie (CAT)
Subject: City of SF v City of Oakland

Counsel,

I am the deputy city attorney representing the City of Oakland on this matter about the Oakland Airport name change. The Oakland Airport is not within the jurisdiction of the City of Oakland, but is within the jurisdiction of the Port of Oakland. My understanding is that you served both the City of Oakland and the Port of Oakland with this summons and complaint, but named only the City of Oakland. I would like to clarify whether your intention was to name and serve only the Port of Oakland.

For background, the Port of Oakland is a separate and independent entity from the City of Oakland. City charters may create and regulate a sub-government within the city. Cal. Const. art. XI, § 5. Pursuant to this grant of power, the Charter of the City of Oakland created the Port as an independent, self-supporting department within the City. Charter of the City of Oakland § 700. The Board of Port Commissioners (“Board”) is the legislative body under the City of Oakland Charter that has the “exclusive control and management of the Port Department.” Charter of the City of Oakland § 701. It is composed of seven members who are appointed by the Oakland City Council. Id. The “complete and exclusive power” of the Board includes a duty to (1) sue and defend any matters within the jurisdiction of the Board; (2) take charge of, control, and supervise the Port; (3) manage the business of the Port; and (4) perform any and all other acts which may be necessary and proper to carry out the general powers of the City. See, e.g., *City of Oakland v. Hogan*, 41 Cal. App. 2d 333, 341, 344-45 (1940); Charter of the City of Oakland § 706. Included in the description of Board powers and duties is the duty to appoint a Port Attorney “whose duty it shall be to . . . defend and . . . prosecute or compromise all actions at law or in equity and special proceedings for or against the City or any officers thereof in his official capacity, pertaining to matters within the jurisdiction of the Board . . .” Charter of the City of Oakland § 706(20). In general, the Board “exercise[s] on behalf of the City, all rights, powers and duties in respect to the subject matter [within the Article]” with respect to the Port. Charter of the City of Oakland § 706(17). My understanding is that it was the Board of Commissioners for the Port of Oakland that voted and made decisions related to the airport name change. It had nothing to do with the City of Oakland, or the City of Oakland City Council.

Please let me know if you have any questions, and whether you will be amending your pleadings or expecting the City of Oakland to respond.

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